

REMARKS

Claims 49-79 remain in this application, with Claims 1-48 cancelled and new Claims 49-79 added. Applicants respectfully request review and reconsideration of the application in view of the foregoing amendments and following remarks.

The Examiner rejected Claims 1-3, 10-13, 15-17, 24-27 and 29-31 under 35 U.S.C. § 102(e) as anticipated by Phelan. The Examiner also rejected (i) Claims 4, 14, 18 and 28 under 35 U.S.C. § 103(a) as unpatentable over Phelan in view of Murphy, (ii) Claims 5-9, 19-23, 32-33, 35-40 and 42-48 under 35 U.S.C. § 103(a) as unpatentable over Phelan in view of Wood et al., (iii) Claims 34 and 41 under 35 U.S.C. § 103(a) as unpatentable over Phelan in view of Teare et al., and (iv) Claims 43 and 47-48 under U.S.C. § 103(a) over Phelan in view of Wood and further in view of prior art discussed in the present application.

While the Applicants believe that Claims 1-48 are distinguishable over the prior art references cited by the Examiner, the Applicants have cancelled Claims 1-48 and added new Claims 49-79 in an effort to expedite the issuance of a notice of allowance. The new independent claims (i.e., Claims 49, 58, 66 and 70) are distinguishable from the previously present independent claims in that they more clearly set forth inventions described in the specification. They also include limitations that were previously presented in dependent form and not disclosed or suggested by the references cited by the Examiner. Therefore, a notice of allowance as to Claims 49-79 is respectfully requested.

Before addressing the novelty of the newly present claims, Applicants provide the following brief description of the invention. The present invention allows a client to maintain state with a web application on a remote server while protecting the user's security and privacy. Generally, the client generates a user identification (ID) (or state variable) that is based on location data and/or temporal data and transmits the user ID to web applications during transactions. The web applications are then able to use the user ID to monitor and maintain a record of the user's current transaction status.

In an embodiment of the present invention, the client receives location and temporal values from a global positioning system ("GPS") receiver. The location value corresponds to the geographic location of the client. Generally, this value includes latitude, longitude, and altitude information. The temporal value corresponds to the time at which the user invoked the current Internet browser session. The client reformats these values into character strings of known lengths and then concatenates them together into a single character string to generate a user ID. To make the user ID anonymous, the client then mathematically encodes the characters of the user ID. The client then transmits the user ID as an http header with each uniform resource locator ("URL") request. The remote server receiving these requests compares the user ID to information stored in a database to determine if the user has a current transaction status that should be taken into account in the server's response.

When the user terminates the current browser session, the client deletes the user ID, thereby preventing the remote server's ability to monitor the user's activity in future transactions. Thus, the remote server is able to provide the user with more functionality than it otherwise would be able to offer operating in a stateless protocol, while also providing enhanced security over the conventional use of cookies that allow the server to continuously monitor client behavior.

The newly presented claims are directed toward a system and method of maintaining state between a client and a server by generating a user ID based on at least location data (e.g., the location of the client, etc.), transmitting the ID to a server, and comparing the ID to information stored in a database to determine the client's state. See, e.g., Claim 49. These limitations are very similar to limitations found in previously presented Claim 10, which depended from previously presented Claim 1.

In the current Office Action, the Examiner rejected Claim 10 under 35 U.S.C. § 102(e) as being anticipated by Phelan. According to the Examiner, Claim 10 (or the steps of (1) using location data to generate a user ID and (2) comparing the user ID to information stored in a database) is disclosed in Phelan at column 8, line 65 to column

9, line 20, and specifically at column 8, line 67. See Office Action, page 6. The Applicants respectfully disagree with the Examiner's characterization of Phelan and therefore this rejection.

Phelan is directed toward a computer that provides location information to a map server and an overlay server to acquire a map of the location and the merchants that are located on the map, respectively. The passage cited by the Examiner provides that if the location information (i.e., the location of the computer) does not change, or is "persistent," then the information "can be stored in databases on the client computer." This passage, however, does not disclose, suggest, or have anything to do with generating a user ID (or state variable) using location information or comparing the user ID to information stored in a database. This is not surprising since Phelan has nothing to do with maintaining state between a client and a server. Because Phelan does not disclose or suggest (1) using location information to generate a user ID and (2) comparing the user ID to information stored in a database to maintain state between a client and a server, Phelan cannot anticipate Claim 10.

For these same reasons, Phelan cannot (and does not) anticipate Claims 49-79. Claim 49, for example, provides "[a] method of maintaining state between a client and a server, said server being in communication with a database, comprising: generating a user identification (ID) that identifies said client and is based on a location value; transmitting said user ID to said server in a first communication with said server; storing said user ID in said database as a state variable, said state variable corresponding to a first user session; transmitting ID information to said server in a second communication with said server; and comparing said ID information with said state variable to determine whether said second communication is part of said first user session or the beginning of a new user session."

The other references cited by the Examiner (i.e., Wood, Murphy and Teare) do not render Claims 49-79 obvious because they fail to make up for the deficiencies of Phelan, as identified above. For example, Murphy and Teare are unrelated to the

concept of maintaining state between a client and a server, and therefore do not disclose the steps of using location data to generate a user ID (or state variable) and comparing the user ID to information stored in a database to maintain state between a client and a server. While Wood does discuss the concept of maintaining state between a client and a server, Wood fails to disclose or suggest the step of using location data to generate a user ID (or state variable), which is then used to maintain state between a client and a server.

In view of the foregoing, the Applicants respectfully submit that Claims 49-79 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. If it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

To the extent necessary, Applicants petition the Commissioner for a one-month extension of time, extending to July 7, 2005, the period for response to the Office Action dated March 7, 2005. The Applicants are also filing, concurrently herewith, a request for continued examination (RCE). A check in the amount of \$455 is enclosed for the petition for a one-month extension of time (\$60.) pursuant to 37 CFR §1.17(a)(1) and for request for continued examination (RCE) (\$395.) pursuant to 37 CFR § 1.17(e). The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,



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